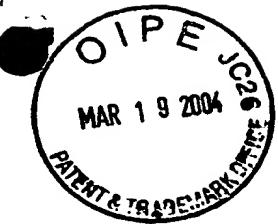


MAIL STOP: PETITION  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450



Docket No.: 113.1012  
Date: March 16, 2004

In re application of: **Michael BECHTEL et al.**  
Serial No.: 09/856,723  
Filed: May 24, 2001  
For: **REGULATORY PROTEIN PKE#83 FROM HUMAN KERATINOCYTES**

Sir:

Transmitted herewith is a **Petition for Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137 (b)** in the above-identified application.

Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
 Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
 No fee for additional claims is required.  
 A filing fee for additional claims calculated as shown below, is required:

| (Col. 1)                                      |            | (Col. 2)   |         |
|---|------------|------------|---------|
| FOR:  | REMAINING  | HIGHEST    | PRESENT |
|   | AFTER      | PREVIOUSLY | PRESENT |
| AMENDMENT                                     | PAID FOR   | EXTRA      |         |
| TOTAL CLAIMS                                  | * Minus**  | =          | 0       |
| INDEP. CLAIMS                                 | * Minus*** | =          | 0       |
| [ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |            |            |         |

| SMALL ENTITY                                |     | OR | LARGE ENTITY                                |     |
|---|-----|----|---|-----|
| RATE  | Fee |    | RATE  | Fee |
| <input checked="" type="checkbox"/> \$ 9    | \$  |    | <input checked="" type="checkbox"/> \$ 18   | \$  |
| <input checked="" type="checkbox"/> \$ 40   | \$  |    | <input checked="" type="checkbox"/> \$ 80   | \$  |
| <input checked="" type="checkbox"/> + \$135 | \$  |    | <input checked="" type="checkbox"/> + \$270 | \$  |
| TOTAL: \$                                   |     | OR | TOTAL: \$                                   |     |

\* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

Also transmitted herewith are:  
 Petition for extension under 37 C.F.R. 1.136 (in duplicate)  
 Other: **Amendment and Response to a Notification of Defective Response, Statement To Support Filing and Submission in Accordance with 37 CFR 1.821-1.825, Sequence Listing, Copy of Notice of Abandonment dated February 24, 2004, Copy of Notification of Defective Response mailed February 1, 2002, Copy of Notification of Missing Requirements mailed July 9, 2001; check over \$1,330.00, and copy of the sequence listing in computer readable form (discette).**

Check(s) in the amount of **\$1,330.00** is/are attached to cover:  
 Filing fee for additional claims under 37 C.F.R. 1.16  
 Petition fee for extension under 37 C.F.R. 1.136  
 **Fee under 37 CFR 1.17 (m) for Revival of Patent Application Abandoned Unintentionally**

The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
 Any patent application processing fees under 37 C.F.R. 1.17.  
 Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

William C. Gehris, Reg. No. 38,156  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "MAIL STOP: PETITION, COMMISSIONER FOR PATENTS P.O. Box 1450, Alexandria, VA 22313-1450" on March 16, 2004.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
 Oliver Platz



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 09/856,723         |                       | Michael Bechtel       | 113.1012               |

Clifford M Davidson  
 Davidson Davidson & Kappel  
 485 Seventh Avenue 14th Floor  
 New York, NY 10018



CONFIRMATION NO. 3340  
 ABANDONMENT/TERMINATION  
 LETTER  
 RECEIVED  
 MAR 24 2004  
 \*OC0000000011955338\*  
 OFFICE OF PETITIONS  
 Date Mailed: 02/24/2004

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/09/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 1 - ATTORNEY/APPLICANT COPY

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**DAVIDSON, DAVIDSON & KAPPEL**



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20591  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 09/856,723                  | Michael Bechtel       | 113.1012         |

Clifford M Davidson  
 Davidson Davidson & Kappel  
 485 Seventh Avenue 14th Floor  
 New York, NY 10018



|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/DE99/03732                |               |
| IA. FILING DATE               | PRIORITY DATE |
| 11/19/1999                    |               |

CONFIRMATION NO. 3340  
 371 FORMALITIES LETTER



\*OC000000007378521\*

Date Mailed: 02/01/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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Page 2 of 2

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice MUST be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 2 - OFFICE COPY

|                             |                               |                  |
|-----------------------------|-------------------------------|------------------|
| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
| 09/856,723                  | PCT/DE99/03732                | 113.1012         |

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